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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,743	07/21/2003	David T. Hung	12.026011-DIV	4720
38732	7590	10/14/2009	EXAMINER	
CYTYC CORPORATION			SANG, HONG	
Darry Pattinson, Sr. IP Paralegal			ART UNIT	
250 CAMPUS DRIVE			PAPER NUMBER	
MARLBOROUGH, MA 01752			1643	
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			10/14/2009	
			PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**  
**After the Filing of an Appeal Brief**

**Application No.**

10/622,743

**Examiner**

HONG SANG

**Applicant(s)**

HUNG, DAVID T.

**Art Unit**

1643

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

The reply filed 27 July 2009 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☐ Other: \_\_\_\_\_

/Larry R. Helms/  
Supervisory Patent Examiner, Art Unit 1643

/Hong Sang/  
Examiner, Art Unit 1643

Applicant's amendment to the claims filed on 7/27/2009 is acknowledged and entered for the purpose of appeal.

Status of the claims: claims 13, 14, 17, 25, 26 and 29 are pending. Claims 13, 14, 17, 25, 26 and 29 are rejected. Claims 1-12, 15, 16, 18-24, 27, 28 and 30-40 have been cancelled.

This amendment does not materially change the rejection made in the Final office action mailed on 11/7/2006 and the content of the Examiner's Answer mailed on 11/6/2007, and thus no supplemental Examiner's Answer will be issued.